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Gayle L. Jacob

In re application of: Keith G. Lintott

Art Unit: 1661

Appl. No.: 10/693,739

PTO Confirmation No.: 3121

Filed: October 24, 2003

Examiner: Annette H. Para

For: Chrysanthemum Plant Named 'Starlet Pink'

Atty. Docket: 10451.0059.NPUS01

**RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR § 1.105
MAILED AUGUST 17, 2004**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to a Requirement for Information Under 37 CFR § 1.105 mailed August 17, 2004.

Claim 1 is pending in the application and the Examiner believes that an issue of public use or on sale activity has been raised. The Examiner has required Applicant and Assignee (collectively referred to here as "Applicant") to provide additional information that the Examiner has determined is reasonably necessary to properly consider patentability of the claimed invention under 35 USC § 102(b). In particular, the Examiner has required Applicant to explain why a 2002 Garden Mum Catalog was not an offer for sale. The